Message Text

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PAGE 01   STATE 211573
ORIGIN EB-08

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DRAFTED BY EB/IFD/BP:S M BRATTAIN:VJW
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ARA/MEX - K MCKUNE
COMM/PTO - R BOWIE
                   ------------------066360 211637Z /47
R 211600Z AUG 78
FM SECSTATE WASHDC
TO AMEMBASSY MEXICO

LIMITED OFFICIAL USE STATE 211573

E.O. 11652: GDS

TAGS: EIND, MX

SUBJECT: PATENT AND TRADEMARK INQUIRY

1. THE BUREAU OF INVENTIONS AND TRADEMARKS (BIT) HAS
RECENTLY ANNOUNCED PROCEDURES NECESSARY TO PROVE USE IN
MEXICO OF TRADEMARKS WHICH ARE REGISTERED IN THAT COUNTRY
AS REQUIRED BY THE LAW ON INVENTIONS AND TRADEMARKS OF
FEBRUARY 11, 1976. REPRESENTATIVES OF SEVERAL U.S. FIRMS
HAVE COMPLAINED TO THE U.S. PATENT AND TRADEMARK OFFICE
ABOUT THE AMOUNT OF INFORMATION WHICH IS REQUIRED BY BIT
TO PROVE USE. THEY HAVE BEEN INFORMED BY THEIR LOCAL
LEGAL ADVISOR THAT SUCH INFORMATION AS DATA ON SALES IN
THE REPUBLIC OF MEXICO AND SALES ABROAD OF PRODUCTS
MANUFACTURED IN MEXICO FOR A THREE-YEAR PERIOD, DATA ON
CHANNELS OF TRADE AND RETAIL OUTLETS WILL HAVE TO BE
PROVIDED TO BIT TO CONTINUE REGISTRATION OF MARKS.

2. IN A SEPARATE BUT RELATED MATTER, U.S. FIRMS WITH
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PATENTS IN MEXICO HAVE BEEN INFORMED THAT ALL PATENTS
GRANTED PRIOR TO FEBRUARY 11, 1976, WILL BE SUBJECT TO
COMPULSORY LICENSE UNLESS INDUSTRIAL EXPLOITATION IN
MEXICO IS PROVEN BY AN INSPECTION CONDUCTED BY BIT BEFORE
FEBRUARY 11, 1979. EXPLOITATION OF PATENTS GRANTED AFTER
FEBRUARY 11, 1979, MUST BE PROVEN BY INSPECTIONS WITHIN
THREE YEARS AFTER THE PATENT IS GRANTED.

3. EMBASSY IS REQUESTED TO CONTACT APPROPRIATE MEXICAN AUTHORITIES TO SUBSTANTIATE OR CORRECT INFORMATION CON-TAINED IN PARAGRAPHS 1 AND 2 ABOVE. IN ADDITION, EMBASSY IS REQUESTED TO OBTAIN A DETERMINATION AS TO THE STATUS OF PATENTS FOR WHICH A REQUEST FOR A BIT EXPLOITATION INSPECTION HAS BEEN MADE BY THE HOLDER BUT NOT CARRIED OUT PRIOR TO THE FEBRUARY 11, 1979, DEADLINE.   CHRISTOPHER

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Message Attributes

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Concepts: PATENT LAW, TRADEMARK APPLICATIONS, BUSINESS FIRMS
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Draft Date: 21 aug 1978
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Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
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Disposition Date: 20 Mar 2014
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TAGS: EIND, MX, US
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